

Missiskoui



Standard.

J. M. FERRES, EDITOR.

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PROVINCIAL PARLIAMENT

House of Assembly.

(Continued.) Your Committee have been supported in the painful labors which have been imposed on them, by the conviction that the facts admitted of clear and unquestionable testimony; and in the conclusion at which they have arrived, your committee are consoled by the reflection that no doubt of its propriety can be entertained by any man who considers the nature of the evidence.

This conclusion, the result of the dispassionate investigation instituted by your committee, is, that Mr. Felton is guilty of oppression, peculation and extortion, by abusing the powers entrusted to him in relation to the Waste Lands of the crown; that he falsely and fraudulently represented himself to be the proprietor of a great extent of those lands to which he had no manner of right; that he falsely and fraudulently denied that such land could be gratuitously granted to divers settlers who applied for the same and were entitled thereto upon the mere performance of the settling duties, and concealed from them, that it was his bounden duty to make such grants; that he corruptly and oppressively exacted and received from the said settlers, applying for gratuitous grants, large sums of money, as the price of land of which he was by his office, bound to procure them gratuitous grants.

Your committee have not overlooked the possibility that the lands so sold might have been promised to Mr. Felton at the period of the respective sales in question. Your committee will not deny that had such promise been made by government, Mr. Felton might have considered the property as virtually his own, and that in fact it would have been competent to him to have disposed of his right for a pecuniary consideration. He could then have justly substituted the purchasers to himself, and have secured to each of them severally a grant directly from the Crown. But Mr. Felton cannot shelter himself under mere possibility at variance with his own repeated statements, as well as with facts leading undeniably to a different conclusion. In the first place, 15,813 acres of the waste lands of the crown have been granted to Mr. Felton himself; 10,862 acres have been granted to his children, and 4,800 to other members of his family, making a total of 31,475 acres.

However prodigious the extent of those grants may appear, it is not within the scope of the reference of your committee to canvass the propriety of the exercise of the Royal bounty in the case of Mr. Felton. It suffices for the purposes of this inquiry to show that not one of the dots less by a due regard for the honor of the

sold by Mr. Felton, as detailed in the evidence, is included in the very extensive grants made to himself, or to any other member of his family, and although your honorable house has applied for and obtained a list of all the applications made by that gentleman, and all the correspondence relative thereto, no trace of any design to convey him, or of any application by him to obtain any of the lots he sold can be found.

But it is evident that the crown prescribed limits to itself. Previous to the 3d July, 1826, Mr. Felton had received grants amounting to 5000 acres, but he appears at that time to have applied for 15,874 acres of wild land for himself and for his children. Far from acceding to this request it appears on the contrary, that the Government was not disposed to allow him more than 5,013 acres, making a deduction of upwards of 10,000 acres on the claim of Mr. Felton. This fact, in the opinion of your committee, furnishes evidence that the amount then already granted to him, was considered sufficient.

While on this branch of the subject, your committee hold it to be their duty to apprise your honorable house that with the knowledge of the determination of his majesty's government to restrict the grant to one third of the land for which he had applied; Mr. Felton, availing himself of his official character, in effect represented, that he was entitled under the despatch in answer to his petition, to the whole amount claimed, and it is a fact that he accordingly procured Letters Patent to pass the Great Seal, conveying to him the whole number of acres which he had so claimed.

Fortunately for your committee they are enabled to inform your honorable house, that two of his Majesty's Secretaries of State for the colonies, have successively expressed opinions touching this part of the conduct of Mr. Felton, in accordance with the views which your committee have been compelled to take and to express. These opinions are embodied in the despatch of the right honorable E. G. Stanley, dated Downing Street, 1st April, 1832, and in that of the right honorable T. Spring Rice, dated 29th October, 1834, to which despatches your honorable house is respectfully referred.

Mr. Felton thus knowingly, and your committee, must add, fraudulently, exacted land received a grant of 10,000 acres more than it was intended to convey to him, and he retains it to this day.

But to remove all doubts, your committee would remind your honorable house, that Mr. Felton, was entitled to a remuneration of five per cent, upon the grants which he should procure for actual settlers upon their mere performance of settling duties; and that in the list of settlers furnished by Mr. Felton, for which he claimed & received this remuneration, the names of all the above mentioned applicants whom he induced to purchase land from himself, are enumerated as being entitled to free grants.

It follows then, in the apprehension of your committee as an inevitable conclusion that Mr. Felton is guilty of the crimes laid to his charge, whether he was or was not proprietor of the land in question. If the land belonged to Mr. Felton, he could not honestly claim a commission for selling it, nor if the land belonged to the Crown could he honestly sell it, or convert, as he has done, the price to his own use. But notwithstanding the enormity of the offence, our committee are bound to express their conviction that he is in truth guilty to the full extent of the last of the said alternatives.

It would appear that since the date of Letters Patent, and the discovery of the fraud, Mr. Felton has expressed a desire to be allowed to purchase the 10,000 acres so erroneously granted to him, and it seems that the Administration had acceded to this proposition. It is not within the province of your committee to institute any enquiry into the result of this arrangement but they may be permitted to express their conviction that it was incumbent on the then Administration to have directed the Law Officers of the Crown to sue out a *Scire Faciens* for vacating and cancelling the Letters Patent in question, in so far at least as relates to the excessive grant assumed by Mr. Felton.

Your committee finally submit as the result of their labors, that the Honorable William Bowman Felton, having grossly, dishonestly and oppressively abused the confidence reposed in him by his Majesty's Government, is unworthy and unfit to hold any Office under the Crown.

To this conviction your committee are confident that the evidence, and more especially that part of it under the hand of the accused, leads so conclusively as to exclude the possibility of any other opinion. Therefore your committee urged no less by a due regard for the honor of the

King's Government, than by a sense of justice towards his people in this colony, respectfully suggest, that an humble address be presented to his Excellency the Governor in Chief, accompanied by all the evidence, praying that his Excellency will be pleased forthwith to remove Mr. Felton from all Offices of honor or emolument which he may hold.

All which is nevertheless humbly submitted.

A. GUGY.

Monday 1st February.

Mr. Speaker informed the house, that the clerk had been served with a writ of attachment against monies now in his hands, and due to a member of the house for his indemnity as such member; and that the clerk, having notified the said member thereof, had been told by the said member not to part with the said monies as he intended to claim the protection of the house, and that the clerk therefore awaited the order of the house on the subject.

On Motion of Mr. Besserer the standing committee of privileges and elections, was instructed to take the said information and papers into consideration.

Henry Jessop, Esquire, collector at Quebec, delivered at the Bar, a return of all vessels arrived at the port of Quebec, with passengers during the year 1834 and 1835.

Mr Simon presented two accounts rendered by the Cure of Baie St. Paul and la Petite Riviere under the Acts 4th Will. IV Cap. I and 3, for the relief of parishes in distress.

Mr Secretary Walcott, presented the following message:

Gosford, Governor in Chief,

The Governor transmits to the house of Assembly the draught of a bill prepared by the solicitor of the board of ordnance in England, for vesting in the principal officers of his Majesty's ordnance, all property in Lower Canada occupied by the ordnance service, which draught has been made applicable by the Attorney General of this province to the laws, usages, and local jurisdictions of Lower Canada.

The Governor in Chief recommends this bill to the favorable consideration of the house, and lays before them copies of the communications received on this subject, from the respective officers of ordnance at Quebec.

Castle of St. Lewis, Quebec 1st February, 1836.

Mr. Walcott also delivered at the bar, documents and copies of correspondence respecting leases of the Bench at Sillery since 1832; referred to the standing committee on the Jesuits' Estates.

The following resolutions passed in committee on Wednesday last, were reported and concurred in:

I. Resolved.—That Ralph Taylor, Esquire member of this house, for the county of Missiskoui, has, in his said capacity of member and in virtue of the Act 2d, Will.

IV, cap. 26, drawn from the public chest the sum of £48 currency, to be distributed as premium money to the schools in the County of Missiskoui, whilst, by the returns of schools in operation in the said county, it appears that the sum of £27 10s, only, ought to have been drawn for the purpose of premiums, leaving in the hands of the said Ralph Taylor, Esquire the sum of £19 10s, which it was his duty to have returned into the public chest.

2. Resolved.—That it appears by a statement transmitted to the House of Assembly, dated the 21st Nov. 1835, and signed by Jos. Cary, Esq., Inspector General of provincial accounts, that no sums of money drawn as premiums for schools in Missiskoui from the 15th May, 1832, to the 15th May, 1835, have been returned into the public chest up to the said 21st Nov. 1835.

3. Resolved.—That a sum of £24 currency, left undrawn in the public chest, being for premiums for schools in the county of Missiskoui for the year ended 15th May, 1835, and made payable to Ralph Taylor, Esq. ought to be applied to the purposes required by law.

4. Resolved.—That it appears by returns received from the Trustees of the different schools in the county of Missiskoui, that the sum of £14 currency only has been distributed to the different schools enumerated in the schedule of return as in operation in the said county during the years ended 15th May, 1833, and 15th May 1834, and nothing for the year ended 15th May, 1835—consequently there remains in the hands of the said Ralph Taylor, Esq. the sum of £14 10s, which was due and ought to have been distributed according to law among the schools in the said county.

5. Resolved.—That from an examination of the various papers and returns, and from evidence taken, the said Ralph Taylor has been guilty of gross malversation and breach of trust; that he has appropri-

ated to his own private use several sums of public money; that he has embarrassed the progress of education in the county of Missiskoui; and that he is unworthy of all confidence of his Majesty's Government in this province.

6. Resolved.—That an humble address be presented to his Excellency the Governor in Chief (accompanied by these resolutions) praying that he will be pleased to give directions to the proper officer to refund the sum of £48, currency, by him drawn, and which sum he has neglected to appropriate to the purposes intended by the Act 2d Will. IV, cap. 26; that the sum of £19 10s. be returned to the public chest, and the sum of £14 10s. be, by the School Visitors of the county of Missiskoui distributed to the Schools in the said county who were deprived of the bounty of the Legislature by the said Ralph Taylor, Esq.

The bill to regulate the management of the Jesuits' Estate was ordered to be engrossed.

The house went into committee to take into consideration Mr Bedard's motion of 29th ultimo, viz.:—That it be an instruction to the standing committee of grievances to require the petitioner Adolphus Mordecai Hart, to specify and particularise the various subjects of complaint which he may have against Mr Justice Bowen, and rose without reporting.

Tuesday, 2nd February.

On motion of Mr Clapham, his Excellency's message with the draught of a bill relating to the ordnance department in this province, was referred to a special committee.

Mr Leslie reported on the Inland Customs Bill; committed for Friday next.

A message was received from the Council, agreeing to the Emigrant tax bill without any amendment; and to the bill to repeal the ordinance concerning quarreling the troops in the country parishes, with several amendments.

Mr Huot reported on the bill for the encouragement of education; committed for Friday next.

On motion of Mr Gugy, the consideration of the second report of the standing committee of Grievances, relating to the hon. W. B. Felton, was fixed for Monday next.

Mr Girouard presented a petition of inhabitants of the Seigniory of La Petite Nation, for the continuance of the Act to encourage the destruction of woolves,

The following resolutions passed in committee yesterday, were reported and concurred in:

1. That £2915. 3. 2. sterling, be granted to defray the expenses incurred by the Executive of the province, for Quarantine purposes, at Quebec and Grosse Isle, during the year 1835.

2. That £90 sterling, be granted to indemnify James Watt for the services rendered by him during the last four years, as Superintendent at Quebec, of the line of Telegraphs established between the latter place and Grosse Isle.

Legislative Council Chamber.

Monday, January 4th, 1836.

Second reading of the bill to settle disputes between Masters and Servants in the country parishes.

Hon. W. B. Felton objected to the principle of this bill. It was true that in the cities of Quebec and Montreal a similar bill was in existence; but there, owing to the greater temptations to which servants were exposed, it might be more necessary. He did not consider it to be so in the country. He objected to the powers given to the country magistrates by this bill—the House was not justified or called upon to put such power in the hands of persons too insulated to possess it. The powers in question would give them an arbitrary influence, both over masters and servants, which was highly objectionable; and would be more so, should the elective principle hereafter be applied to the nomination of Justices of the peace in those parts. Some of the provisions, too, of the Bill were highly improper. In assenting to them, the house would be re-enacting some of the old tyrannous laws of former days, which even the powers on the continent of Europe were getting rid of. The bill interfered also with the wages of labor—for a breach of contract, there was a power in the magistrate to imprison a servant for no less than thirty days. He considered this equal in severity to those old and barbarous usages formerly prevalent in Europe, when in a state of slavery. The honourable member continued his objections to the bill, and put a case, in which a magistrate might send a servant guilty of a breach of contract under this bill, all the way from Kennebec to Quebec Jail.—Was not this the height of injustice—was

it not mere tyranny? If any necessity could be pointed out for extending this bill to the country parishes, he would consider it; but at present he thought it was utterly unnecessary. The house might safely leave masters and servants to settle their differences, without such a law as this.

Hon. P. McGill said, the penalties contained in this bill were excessively heavy, and equally unequal in their operation. For servants, there was fine and imprisonment for masters, fine only. He hoped it would be committed for the first of August next.

Hon. D. B. Viger defended the bill, and maintained that it was necessary in the country parishes. There was at present no possible way of compelling the keeping of contracts between servants and masters. He considered that the justice of the case required the bill; and went into details to shew that it would work well, and that there was nothing tyrannical in it. It was not severe upon the servant, or at any rate more so than was unavoidable.

Hon. W. B. Felton moved that the Bill be committed for the first day of August next.

Hon. P. McGill said, it was presumed that masters would pay the penalty, since there was no imprisonment for them, in case of failure—but servants were to be confined if they did not pay. Why should there be one scale for the master, and another for the servant—why inflict a greater degree of punishment on the latter?

Hon. D. Viger replied, because there was a remedy at law against the master, who was responsible in a pecuniary point of view. The laborer had nothing—a judgment against him would be worth nothing—therefore, it had been found

bill did not amount to a bargain. This would be a very different law indeed. He (Mr. F.) had engaged many labourers, and from his experience, he had ample occasion of observing, that the freer the parties were of each other, the more satisfactory was the result to both. He was satisfied the bill was injurious, but was not violently opposed to it.

Hon. G. Moffat hoped his hon. friend would withdraw his motion. He thought that both master and servant ought to be compelled to fulfil their engagements to each other for any length of time, while they were free enough if they made them for a month.

Hon. W. B. Felton asked and obtained leave to withdraw his motion.

The bill was then referred to a special committee: Messrs Jones, Dehartz, De-Rocheblave, Jolicette, and Harwood.

Second reading of the bill for the inspection of Rafts and Scows.

Hon. G. Moffat moved, that this bill be referred to the Standing Committee on Trade.

Hon. P. McGill said, he had been extensively concerned in the lumber trade, and for many years had heard great complaints on the subject. He never heard of any good arising from the inspection. He supported the motion, which was agreed to.

House in committee of the whole on the Resolutions proposed by the Hon. G. Moffat on Special Mortgages and Registry Offices.

Hon. G. Moffat said he was desirous to go into committee. The session was advancing and it might seem as if the house was desirous to give the question the go by.

Hon. D. B. Viger admitted that this was a most important question, which would awaken a long discussion. He was desirous to postpone the committee to Friday next, in the meantime the resolutions might be printed. It required the deepest consideration, but while he required time, it was by no means his intention to give the question the go by. The hon. gentleman (Moffat) had his *belle majorité* (Mr. V.) and neither the means or the desire to evade the consideration of the question.

Hon. G. Moffat was perfectly aware that he should necessarily appear to the greatest disadvantage, in comparison with the two honorable gentlemen opposite on this momentous subject.

He was anxious to hear, however, the statements which were to be made against him. Satisfied of his own inability to do justice to the subject, he relied upon the assistance of some of his hon. friends; and confidently trusted, that if no measure was perfected this Session, still that he might be more fortunate in the next. He did not see the necessity of printing the resolutions. The hon. Gentleman then read his series of resolutions.

Hon. D. Viger could scarcely conceive that the hon. gentleman could be serious in expecting that resolutions containing so many different principles, could be treated with such apathy. The hon. Gentleman and his friends had made up their minds, and therefore they think that a measure of this importance, overturning the ancient laws of the country, can be disposed of at once. It was not respectful to treat a question of such magnitude in that manner. The propositions contained in the resolutions were extremely complex; and they ought at least to be printed. A bill passed on the principles of the resolutions, would, in his opinion, be highly injurious, and full of embarrassment. Parts of the Resolutions were wholly unnecessary. Other gentlemen might be willing to pass them, but he was not so disposed without full examination. He was anxious to do justice to the subject, and he therefore hoped, that sufficient delay would be granted.

Hon. W. B. Felton said the subject was not of so novel a character as to require delay. The spirit of the Resolutions had already been entertained in the assembly; and his hon. friend had aptly seized upon them, and much improved them in all respects. He was of opinion that the difficulties of the subject had been much overrated—they had been met, and he would say, overcome. He maintained that his hon. friends could prove that the difficulties were overcome, whenever the proper time should arrive.

The committee was postponed until Thursday, and the resolutions were ordered to be printed.

[On Tuesday the house sat in the Library, which being within the bar, the reporter had no means of taking notes. Wednesday was a holiday, and the council did not sit.]

PROVINCIAL PARLIAMENT

House of Assembly.

Wednesday, 3d Feb. 1836.

Mr Guy reported the following answer to the address of the 30th ultimo:

Gentlemen.—I will direct the proper officer to prepare and lay before the house of Assembly, in compliance with the prayer of this address, the required information respecting the members of the Executive Council for the Province of Lower Canada.

Castle of St. Lewis, Quebec 3d Feb. 1836.

Mr Knight reported the following answer to the address of the 1st instant:

Gentlemen.—I request you to inform the house of Assembly in answer to this address, that measures shall be taken to

obtain from the individual therein mentioned, the reimbursement of the sum of money belonging to the public, which is stated to be present in his hands.

Castle of St. Lewis, Quebec, 3d Feb. 1836.

Mr Leslie presented a petition of the directors of the Mutual Fire Insurance Company of the county of Montreal, for amendments to the act to authorize the establishment of Mutual Fire Insurance companies; referred to a Special Committee.

Mr Caron introduced a bill to provide for the reimbursement of certain sums of money expended for sanitary and charitable purposes, and to make a provision for similar purposes for the future; second reading Friday next.

Mr Besserer presented the second report of the standing committee of privileges and elections, which was concurred in. Whereupon it was resolved, That William Burns Lyndsay, Esquire, clerk of this house who has been summoned to appear as *tiers-saisie* in a cause wherein Peter Shepard, Esquire, is plaintiff, and Pierre Bureau, Esquire, one of the members of this house, is defendant, during the present term of King's Bench for the district of Quebec, cannot absent himself from the service of this house; and ordered, That a letter be written by the Speaker to the Chief Justice of the province, and to the Puisne Judges of the court of King's Bench, transmitting the said resolution to them.

Mr Secretary Walcott delivered the following message, which was referred to the committee on his Excellency's message relating to a light house on St. Paul's Island.

Referring to his message of the 20th ultimo respecting the erection of light houses in the Gulf of St. Lawrence, the Governor in Chief now transmits to the house of Assembly copies of a communication on that subject, which he has since received from his Majesty's principal Secretary of State for the colonial department.

The house of Assembly will perceive from the documents now laid before them, that, with a view of contributing as much as possible to an object which, in the liberal spirit of his Majesty's Government, is considered as of national rather than of local interest, the Lords of the treasury have announced their readiness to apply to the Imperial Parliament for the funds necessary to the erection of light houses on the islands of Scatterie and St. Paul; provided the colonies whose trade is to be benefited by the measure will engage to defray the comparatively light expense of their future maintenance.

The Governor in Chief would also invite the attention of the house to the suggestions of the Secretary of State with respect to the appointment of the annual expense between the several provinces interested in the measure, by means of a commission of arbitration to be named by their respective Legislatures, and to the readiness which he at the same time expresses to operate in any other arrangement which might appear to them to be better adapted to the circumstances of the case.

The Governor in Chief need hardly recommend this highly important and advantageous proposal to the early and favorable consideration of the house.

Castle of St. Lewis, Quebec, 3d Feb. 1836.

Mr Secretary Walcott, also delivered at the Bar, a list of members of the Executive Council of Lower Canada.

MEETING OF THE MISSISSKOUÍ BRANCH CONSTITUTIONAL ASSOCIATION.

According to request, the loyal reformers of St. Armand began to assemble at Frelinghur, early on the morning of Saturday, the 13th. The national flag was hoisted at an early hour. Sleighs, single and double, some with four horses, cutters and every species of winter-carriage, except the abominable French Canadian traine, had been put in requisition. About half-past nine the cavalcade moved forward on the road to Dunham Flat, distant six miles. Among the banners were some bearing appropriate inscriptions; 'The King and Constitution,' 'The British Colonies, may they long prosper under their present Constitution,' 'Canada won by the treasure and blood of Britons,' 'The King, Canada SHALL NOT BE LOST, nor given away,' also a Scotch banner bearing the Thistle and Motto, 'Nemo me impune lasset.'

The cavalcade extended nearly a mile. On arriving at the Flat, the national flag waving triumphantly in the breeze, they were met by a large concourse of citizens, who had arrived by different routes from Stanbridge, Dunham and Sutton. The President and a few members of the Association, drove up to the Chapel where the meeting being constituted, it was

Moved by Calvin May Esq., and seconded by Mr. Hiram Moore,

'That this meeting do adjourn to the Church, and assemble half an hour hence.'

The motion, being merely for the sake of form, was concurred in and the members marched to the sound of martial music to the church; where the meeting being constituted anew, the business was proceeded with.

The sub-committee, Stevens Baker, Dr. Calvin May, John Baker, J. Chamberlin, Jonathan Selby, Anson Kemp, H. M. Chandler, Oren J. Kemp, Galloway Frelich, Daniel Campbell, Metcalf Haven, appointed at a previous meeting of the Executive committee, to frame resolutions for adoption by the Association, retired,

and the Secretary, Mr. Ferres, read to the Association, various documents transmitted from the Parent-Associations of Quebec & Montreal. The reading of those papers occupied considerable time, but the Association listened to them with eager attention and seemed to be deeply impressed with the subjects detailed in them. After which the Secretary by order of the President read the Executive committee's

bers in their respective districts, to be returned to the Township committees, who will make a return for the whole Township, and deposit it with the Secretary of the county Association. This is necessary, in order that, in time of need, friends should know on whom to depend for accurate information, &c.

Your committee beg to recommend that the Association approve of the proceedings, had by the Parent Associations of Montreal and Quebec, of which copies are now laid before you, and particularly that delegates be appointed, to proceed to the Constitutional Assembly about to be convened.

In conclusion your committee would beg to state, that the boundary line, which separates the Townships from a foreign state, is less distinct, than that, which separates them from a portion of this Province, a state of things, which your committee and the other loyal subjects of his Majesty, in the Townships, ought to use all their power to remedy.

Although the time, for which your committee were appointed, has not yet expired, yet they recommend that a new one be appointed, to come into office on the 23d of February next.

All which is nevertheless submitted.

HORATIO N MAY, Chairman,
J. CHAMBERLIN, } Secretaries.
J. M. FERRES,

Moved by John Baker Esq. seconded by Mr. Mills,

That the Report now read be adopted by the Association. Carried unanimously.

The Sub-committee having entered, presented the resolutions following, which, after being read by the Secretary in block, were afterwards moved separately as follows:

Moved by Mr. Levi Kemp, seconded by John Baker, Esq.

1st.—Resolved, That it is the opinion of this Branch Association, that the demand by the House of Assembly, of £22,000, at the commencement of the present session, was unconstitutional, because the salaries of certain pensioners of said House, were comprised therein, and has been subversive of the liberties of the people.

Moved by Mr. Hiram Moore, seconded by Mr. D. T. R. Nye.

2d.—That the retaining in the chair of the House of Assembly, as Speaker, a person not legally returned to that House, as a member for the West Ward of Montreal, for which he claims to sit, is in its character an act degrading to the House, and subversive of the liberties of the people.

Moved by Mr. Henry Boright, seconded by Mr. John Ayer 2d.

3d.—That the appropriation, by the House of Assembly alone, of the money belonging to the people, in order to pay the salaries of John A. Roebuck and D. B. Viger, is a violation of the act 31 Geo. III cap. 31, and by consequence, is subversive of the liberties of the people.

Moved by Mr. John Tittemore, seconded by Mr. L. Kemp,

4th.—That the submission, on the part of the Assembly, to the dictation of said Roebuck, one of its pensioners, is an act degrading to the House, and subversive of the liberties of the people.

Moved by Mr. Mills seconded by Abram Hilliker,

5th.—Whereas the acts above enumerated could have taken place only in a body the majority of which are *politically and morally wrong*, deserving not the respect but the contempt of the people of this province, therefore resolved, That a petition to his Excellency the Governor in chief, be drawn up & signed by the President and Secretaries of this Branch, on behalf of the Branch praying that his Excellency will be pleased to dissolve the present parliament.

Moved by Dr. S. P. Barnum, seconded by Alanson Ford, Esq.,

6th.—That the legal appropriation of the monies raised from the people of this province, can be made only with consent of the three branches of the Legislature, as appointed by 31. Geo. III. c. 31. and that the 'cheerfully' granting of 22,000 pounds (£8,000 dollars) of said money by the Earl of Gosford the Governor in chief, and the payment thereof to the house of Assembly, constituted a gross violation of said Act as well as being contrary to the resolutions of the Legislative Council.

The seventh of the Committee's resolutions (now number 8,) was then moved by Mr. Abel Hurlbut, Jr. seconded by Mr. Carleton McCarty.

Mr. Ferres rose and moved that the committee's resolution be postponed, and that the following be substituted,

7th.—As in consequence of the acts mentioned in the foregoing resolution, the Earl of Gosford has laid himself open to impeachment before the House of Lords, therefore, Resolved, that the delegates to be afterwards named, be instructed to move in the approaching Congress of delegates, that a humble petition be laid at the foot of the throne, praying that the King will be graciously pleased to recall the said Earl of Gosford, from the administration of the government; and farther, that said delegates be instructed to move, that means be taken to procure the impeachment of his Excellency the said Earl of Gosford, for having violated the above cited act 31. Geo. III. c. 31.

Mr. Ferres expressed his surprise that the committee had not seen fit to bring before the Association, a resolution of the nature of the one he now proposed. The Branch had already resolved that that man had been guilty of a gross violation of the Constitution of this province. So far, well. But it did not require an angel from heaven to tell them that; every one knew it. The Earl of Gosford himself, was perfectly conscious of it, for he had left England, with the deliberate intention, to perpetrate the iniquity. If the Branch had meant only to resolve that he had violated the Constitutional act, instead of putting themselves to expense, and the inconvenience of leaving their business on this stormy day, it would have been better for members to have remained at home. What good did the Branch propose to itself, by resolving that he was guilty? Where was the tangible good which was to result? He did not see it. The Branch might make a thousand resolutions to the same effect, and

when finished it might begin its resolutions over again. He was for *action*, immediate *ACTION*, if possible; the times demanded it. The days of truckling, he hoped, had gone by. As for himself, he would neither truckle to the Earl of Gosford, nor to any Frenchified cabinet in the province. He called on the Branch, then, to follow up their own previous resolution by demanding justice. It had gone half way already, now let it go the other half. He did not wish this Association should act alone, neither did he wish to insist on acting on the resolution, contrary to the opinions of the other Associations in the province, but he was determined that the question should be brought before the congress, if that Branch would go with him, and if the congress decided against it, he would be satisfied. He further stated, that this was the only way in which it was possible for him to get the subject brought before the congress, and he was sure that the Branch would support him in his endeavour.

The Resolution was again read, and seconded by Mr. William Gates, and carried by acclamation.

Moved by Mr. Abel Hurlbut, jr. and seconded by Mr. Carlton McCarty,

8th.—That this Branch views with feelings of indignation, the constant application of the public monies (of which the Townships pay no small share) by the French origin party, to support colleges and institutions exclusively French; while academies and institutions of an English character, are endeavoured to be suppressed by being refused a corresponding support; the French origin party declaring that English institutions, 'ought to be supported by private charity'; and farther, that so great is the hatred of the French origin party, to English institutions, that certain Frenchmen have hitherto succeeded in preventing an English college from going into operation by retaining in their hands a bequest left for that purpose.

Moved by Mr. Luke Hitchcock, seconded by Mr. John Hungerford,
9th.—That this Branch sympathises with the English inhabitants' of the district of St. Francis, for the loss of the Judicature Bill, in consequence of the votes of the majority of 'French origin' and of a few of their tools of English blood.
Moved by P. H. Moore, Esq., seconded by Mr. Simeon Whitman,
10th.—That in common with their brethren in the Townships this Branch deplores the state in which the Townships lie, with respect to the passage of laws for their benefit, but exhorts them to be true to themselves, and many years will not elapse before their weight in the country, will be more forcibly felt.

Moved by Mr. Daniel Westover, seconded by Mr. James I. Vincent,

11th.—That the reasons for the opposition to the British American Land Company, by the 'French origin' party in the Assembly, arise purely from the fact that said company will continue to be the means of throwing into the Townships English bone and English capital; but that this Branch Association does for those very reasons highly approve of the establishment of said company, and trusts that his Majesty's government will give every encouragement to their patriotic endeavours.
Moved by James Moir Ferres, seconded by Mr. D. N. Townsend,
12th.—That this Branch approves of the Report and proceedings of the parent Associations, and does thereby condemn the establishment of an Elective Legislative Council in this colony; & that it is in addition, the solemn conviction of this Branch, that the concession of an elective council, would be followed by scenes of anarchy & bloodshed.

Moved by Mr. Edward Furgerson, seconded by Mr. Henry Toof,
13th.—That, as it has been asserted by the 'French origin' party, that their opponents are persons either actually office-holders or desirous of holding office in the colony, this Branch deems it sufficient in order to prove the falsehood of the above assertion, simply to state that this Branch is composed of Farmers and others who earn their daily bread by the sweat of their brows, and who are anxious only for a steady government, by which their labours and honest gains may be fully protected.

Moved by Mr. James Lee, seconded by Mr. William Hickok,
14th.—That this Branch tenders its thanks to the minority in the Assembly, and particularly to William Baker, Esquire, Member for this county, for the support they have given the Constitutional cause in the House of Assembly.
Moved by Mr. D. T. R. Nye, seconded by Mr. Elihu Crockett,
15th.—That it is expedient to appoint two delegates to represent this Branch in the approaching congress.

Moved by Capt. Jacob Ruiter, seconded by Mr. Henry Boright,
16th.—That Joshua Chamberlin & Metcalf Haven, Esquires, be appointed to represent this Branch, in the approaching Congress.

The Chairman then drew the attention of the Branch to the appointing of an Executive Committee for the year commencing 23d February, instant, and also to the appointing of Vigilance committees in every Township and parish in the county to come into office on the same day.
Moved that it be Resolved.—That on the first demonstration of hostilities, (which may God avert) the club shall assume the character of a Rifle Corps, appropriately armed and accoutred, in a dress of one and the same uniform, officers and men, of dark green cloth; that the officers shall be elected before this meeting do adjourn.

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Mr. P. P. Russel moved, seconded by Mr. A. Young,
That the thanks of the Branch be offered to the President, Secretaries and Executive Committee, for their labors of last year, and that the officers named last year be appointed as the officers

of the Branch for the year commencing 23d February inst.

Moved by Mr. Lynds Smith, seconded by Stevens Baker, Esq.,
That a Vigilance Committee be appointed for every Township and Parish in the County.

The following gentlemen were unanimously chosen to compose the above mentioned Committee:—

For Dunham, Stevens Baker, William Gates, Jonathan Selby, John Gilbert Jacob Ruiter, Edward Baker, Daniel Westover, John Guy, Jethro Inglis, John Pickering, Ralph Miller, John Sawyer;

For Stanbridge, C. R. Vaughan, Capt. Hitchcock, Dr. Dykeman, William Davis, P. H. Moore, James Botham;

For Sutton, Ami C. Squier, Peleg Spencer, William Allen, Ephraim F. Hurbut, Sewell Scofield, Elijah Billings, Capt. Jones, Henry Boright;

For St. Armand, West Parish, Daniel Campbell, Elihu Crockett, George G. Fellows, Lynd Smith, Hiram Moore, James Taylor, Horatio S. Throop, P. P. Russell, D. T. R. Nye, W. W. Smith;

For East Parish, Simeon Whitman, James Lee, Horace M. Chandler, John Krans, Henry Baker, Benjamin Reynolds, Henry Toof, W. R. Sears, Hiram Barnes; Members of the Executive Committee of the Branch, to be Members of the Vigilance Committees *ex officio*.

The thanks of the meeting were then voted to the chairman for his able conduct in the chair and the meeting was adjourned *sine die*.

HORATIO N. MAY, Chairman.
J. CHAMBERLIN, Secretary.

The Shefford Agricultural proceedings, we with regret postpone.

MISSISKOU STANDARD.

FREELIGHSBURG FEB. 16, 1836.

The Report of the proceedings of the Missiskou Branch Constitutional Association has obliged us to throw out several articles of interest.'

The day of the meeting was the worst for the purpose, that we have seen this winter. The roads were blocked up with snow, and snow fell from morning till night. From some parts of the county, it was impossible for men to come. One gentleman from Sutton started from home, with a double sleigh, but getting entangled in snow drifts, was under the necessity of leaving his sleigh and one of his horses, and pushing on with the other. What will deter men from enforcing their rights! Notwithstanding all disadvantages of roads and weather there were between 800 & 900 on the ground.

On the arrival of the St. Armand men at Dunham Flat, the hundreds which were assembled there opened to the right and left and received them.

The unanimity and good feeling, that prevailed, were highly pleasing. The resolution for bringing about the impeachment of his Excellency, was received with a round of applause. It would have done his Excellency's heart good, to have witnessed the independent burst of indignation with which his French policy has been received in the Townships. The one, too, approving of the conduct of the minority in the Assembly and particularly of that of

the unpopularity given that Canada must not be lost or given away.'

A happy day was it for Mr Papineau & his friends when that proclamation came forth from Quebec, for well do they know that the lion is roused and about to shake the dew from his mane. The noble animal is not in haste to assail his foes, his spring will not be the less terrible. The display upbraids the loyal—they complain of the presence of troops and stab the soldier when defenceless and alone. Will they allow the British army to be marched out of Canada? Not they, and if the constitutionalists were to propose such a measure to-morrow, Mr Papineau would be the first to invoke their stay. Let them boast of their numbers, even though they be three to one; and were the troops recalled, or shut up within the walls of Quebec, and the keys given to Mr Papineau, the people of British origin would, with their strong arms and violent hearts, by one mighty effort, arise and sweep the traitors from the face of the earth.

We were the first in this province to denounce a few irreverend scoundrels pretending to be protestants, in their unhallowed attempts to defame the characters of the priests and nuns in this city, whose deeds of christian charity are far above our praise. It is now discovered that the book entitled 'The disclosures of Maria Monk, about which there has been so much talk, is a gross imposition, being neither more nor less than an almost literal translation from a Spanish book of more than a century old, and a miserable libel from beginning to end.'

Moved that it be Resolved.—That on the first demonstration of hostilities, (which may God avert) the club shall assume the character of a Rifle Corps, appropriately armed and accoutred, in a dress of one and the same uniform, officers and men, of dark green cloth; that the officers shall be elected before this meeting do adjourn.

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Moved that it be resolved 9th.—That as the best security for peace is a preparation for war, the committee do take steps

to procure from the United States or elsewhere fifty Rifles, useful rather than ornamental and two hundred yards of dark green cloth, the same to be placed under the guardianship of the Township commissioners.

Moved that it be resolved, 10th.—That to carry into effect the foregoing resolution, a subscription be now opened, and that the deficiency (if any) shall be made up by the several members of the Club, in conformity to their means, which means they shall be estimated proportionably with the land they were last year assessed at. Memo. £273 subscribed at a preliminary private meeting.)

Moved that it be resolved, 11th.—That from and after the adjournment of this meeting, for the more effectual exclusion of treachery or cowardice, no applicant shall be admitted as a member of the Club but by ballot, 5 black balls constituting a negative.

Moved that it be resolved, 12th.—That Vice President—Treasurer; —, Secretary; and that these gentlemen be committed to draft the rules and regulations for the observance of the Club.

It was suggested that the resolutions No. 7 to 12, should, previous to being put, be referred for the adoption of a secret committee of 13 residents of the Township, 7 of whom were magistrates which committee pledging themselves jointly and severally zealously to support the resolutions, should the peace or safety of either province be disturbed or threatened, the resolutions, at their entreaty, were withdrawn.

Unanimously Resolved. 13th.—That all further 'matters and questions' be referred to the discretion of the commissioners, and that three cheers be given for March and the Constitution.

From this it will readily be seen, that the spirit now showing itself in Lower Canada, is of a totally different character to that which caused the American Colonists to take up arms in these United States fifty years ago. The English in Canada seek not to dissolve, but to preserve British connexion, while their opponents are calling for elective institutions and a Republic.

Not long since the loyal party in Montreal attempted to form a volunteer rifle corps, under the most distinct and positive understanding that its objects were the preservation of the British constitution, and attachment to the parent state. Yet no sooner was this known at Quebec, than the Governor-General, who is now openly accused, we know not with what truth, of being in close alliance with Mr. Papineau and the republican party, issued his proclamation declaring its existence illegal, and calling upon all the public authorities to suppress it under the extreme penalty of the law!

Thus are free born Englishmen, Irishmen, and Scotchmen punished for attachment to their King and country—their loyalty pronounced treason, and their efforts to support the throne branded as an attempt to destroy it. Can it be wondered at then we repeat, that the constitutionalists have at last rallied—banded themselves together and proclaimed their wrongs? Their crime, if it be one, was pardonable, for their object was to obey the royal injunction to Lord Gosford, which others seem to have forgotten...

Remember that Canada must not be lost or given away.'

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New York Albion.

Earthquakes have lately occurred in Dumblane, and other parts of Scotland. On Thursday last, several distinct shocks were felt at Cote a Baron near Montreal, and in several places in the City.

We were the first in this province to denounce a few irreverend scoundrels pretending to be protestants, in their unhallowed attempts to defame the characters of the priests and nuns in this city, whose deeds of christian charity are far above our praise. It is now discovered that the book entitled 'The disclosures of Maria Monk, about which there has been so much talk, is a gross imposition, being neither more nor less than an almost literal translation from a Spanish book of more than a century old, and a miserable libel from beginning to end.'

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P O E T R Y .

A Extract

From an unpubl'ish'd Poem on the death of Joseph Odell, Esquire, of Odellown.

Art thou entrusted with the province law,
To keep (as magistrate) the town in awe?
Let not this honor, this important trust,
Corruption soil, or partial dealings rust.
Court not the rich man's smile, nor fear his frown,
Let justice cloth'd in mercy rule the town;
Ne'er let self interest warp this noble plan;
But be, as magistrate, an honest man;
Or hath thy Sov'reign's seal appointed thee
Commander of a martial company,
Commission'd thee upon thy loyal word,
To wear a Captain's badge and soldier's sword?
Be loyal then, obey the province laws,
And stand thou forward in thy country's cause;
Defend her rights, and even take her part,
With loyal sword and patriotic heart;
Thee thou wilt have, as then will be thy due,
Thy country's grateful thanks, & Sov'reign's too;
But still, these honors wont for ever last,—
Time's on the wing, there's nothing flies so fast;
Thy mortal enemy was ne'er o'erpower'd
By civil, or military sword,
For I, when living on your earth as you,
Was both a magistrate and captain too;
But death soon serv'd a warrant (without fee)
And in this little cell imprison'd me.—
Broke my commission with an icy hand,
And ev'ry worm o'er me has now command,
And thou, as me, thy office must resign,
And worms consume thy flesh, as well as mine.
O! then while life and health to thee are giv'n,
As magistrate rever the King of heav'n;
Obey his laws, and mercy never grudge,
For recollect that he will be thy judge,
For at his solemn bar thou must appear,
And answer for thy deeds transacted here;
Then let this solemn thought pervade thy breast,
How shall I stand the scrutinizing test!
Thy future judge implore, while life is giv'n,
For he is now thy Advocate, in heav'n;
He'll then the burthen of thy crimes remove,
And clear thee in the great, grand court above!

THE SMUGGLER.

(Continued.)

So saying, he hastened home to his house... he examined his cutlass, his pistols, the bullets, and powder. 'All's right,' said the smuggler, and he entered the room where his daughter slept. He laid his rough hand gently upon hers.

'Fanny love,' said he, 'thou knows that I expect the lugger t'night, and I don't think I shall be at home, and I mayn't be all to-morrow—but you wont fret,...like a good girl I know you wont—keep all right love till I be back, and say nothing.'

'Dear father,' returned Fanny, who was now a lovely girl of eighteen, 'I tremble for the life which we lead,—as my poor mother said, it adds the punishment of the law to the dangers of the sea.'

'O don't mention thy mother, dearest, said the smuggler, 'or thou wilt make a child of thy father when he should be thinking of other things. Ah! Fanny! when I lost thy mother I lost every thing that gave daylight to my heart. Since then, the fairest fields are to me no better than a bare moor, and I have only thee my love,—only my Fanny to comfort me. So, thou wont cry now,—thou wont distress thy father—wilt thou? No, no! I know thou wont—I shall be back to thee to-morrow love.'

More passed between the smuggler and his daughter, words of remonstrance, of tenderness and assurance, and when he had left her, he again went to the beach, to where the boat had just landed from the night's fishing. None of the other boats had yet arrived. As he approached, the crew said they 'saw by his face there was something unpleasant in the wind,' and others added—

'Something's vexed skipper Harry this morning, and that's a shame, for a better soul never lived.'

'Well mates,' said he as he approached them, 'have you seen a shark crusing off the coast this morning?'

'No,' was the reply.

'But I have,' said Harry, 'though she is making off to keep out of sight now— and more than that, I have seen a cut-throat lubber that I would not set my foot upon—I mean the old Belzebub imp with the white and yellow stripe on his yawl, pull from her side—and what was he doing there? Was it not telling them to look out for the lugger?'

Some of the boat's crew uttered sudden and bitter imprecations. 'Let us go and sink the old rascal before he reach the shore,' said one.

'With all my heart,' cried another, for they were all interested in the landing of the lugger, and in the excitement of the moment they wist not what they said.

'Softly, softly, my lads,' returned Harry, 'we must think now what we can do for the cargo and ourselves, and not of what I am thinking.'

'Now, look ye,' continued Harry, 'I believe we shall have a squall before night, and a pretty sharp one too, but we must mind that when our fortunes are at stake. Hang all black-hearted knaves that would peach on a neighbour say I; but, it is done in our case, and we must only do our best to make the rascal's story stick in his throat, or be the same as if it bad, and I think it may be done yet. I know, but the peachers can't, that the lugger is to deliver a few score kegs at Blyth before she run down here. We must off and meet her, and give warning.'

'Ay, ay, master Teasdale, thou'rt right! ha ha risked the better part o' my bit Fanny's

—but now that the thing has got wind, the sharks will keep a hawk's eye on us, and how we are to do it I can't see.'

'Why because thou'rt blind,' said Harry.

'No, hang it, and if I be master,' replied the other, 'I can see as most o' folks as ye can testify, and I dow see plain enough that if we put to sea now, we shall ha'e the cutter after us, and that would be what I call only leading the shark to where the salmon lay.'

'Man, I wonder to hear thee,' said Harry, 'folk wad say thou hast nae mair gumption than a born fool. Do ye think I wad be such an ass as to send out spies in the face o' the enemy. Hae I had a run o' good luck for twenty years, and yet ye think me nae better General than that comes to? I said nae doubt that we should gaun to sea to meet the lugger, though there will be a squall, and a heavy one too, before night, as sure as I'm telling ye; but I didna say that we should dow sae under the bows o' the cutter, in our awn boat, or out o' Embleton.'

'Right, right master,' said another, 'no more you did... Ned isn't half awake.' The name of the fisherman alluded to was Ned Thomson.

'Well Ned my lad.' 'I tell thee what must be done—I shall go saddle my old nag,—get thou a horse from thy wife's father,...he has two and can spare one, and let us jog on as fast as we can for Blyth, but we mustn't keep by the coast, lest the King's folk get their eyes upon us. So away get ready lad,—set out as quick as thee can,—few are astir yet. I wont wait on thee, and thou wont wait on me,—but whoever comes first to Felton brig, shall just place two bits o' stone about the middle,...on the parapet I think they ca' it,—but it is the dyke on each side o' the brig I mean ye knew. Put them on the left hand side in gaun alang,—down the water; or if they're there when ye come up, ye'll ken that I'm afore ye. So get ready lad—quick as ever ye can. Tell the awd man naething about what ye want wi' the horse. The fewer that know any thing about this things the better. And ye lads will be upon the look out, and if we can get the lugger run in here, have a' thing in readiness.'

'No fear o' that master,' said they.
'Well Sir,' said Ned, 'I'll be ready in a trap stick, but I know the awd chap will kick up a sang about lendin' his horse.'

'Tell him I'll pay for it if ye break his leg,' said Harry.

The crew of the boat laughed, and some of them said—

'Nobody will doubt that matter—you are able enough to do it.'

It must be observed that since Harry had ceased to go regularly to sea, and when he was really considered to be a rich man, the crew of his boat began to call him master, notwithstanding his sou'-wester and canvas kilt. And now that it was known to them, and currently rumoured in Embleton that he was part proprietor of a lugger, many of the villagers began to call Fanny, Miss Teasdale; and it must be said that in her dress and conversation, she much nearer approximated to one that might be styled Miss, than to a fisherman's daughter. But when the character and education of her mother are taken into account, this will not be wondered at.

It would be uninteresting to the reader to describe the journey of Harry and Ned to Blyth; before they arrived at Felton, Harry had overtaken Ned, and they rode on together.

On arriving at Blyth they stopped at the door of an individual who was to receive forty kilderkins of Hollands from the lugger, and a quantity of tobacco. It is well known to be the first duty of an equestrian traveller to look after his horse, and to see that it is fed; but in this instance Harry forgot the established rule—the horses were given in charge of a girl to take them to a stable to be fed, or otherwise, and Harry hastened into the house, and breathlessly inquired of its owner—'I hope to heaven Sir, ye have heard nothing of the Swallow?'

(The lugger was called the 'Swallow,' from the carpenter in Cuxhaven who built her, having warranted that she 'would fly through the water.')

'Why, nothing,' replied Harry's brother smuggler, 'but we shall be on the look out for her to-night.'

'So far well,' said Harry, 'but I hope you have no fear of any King's lobsters being upon the coast, or rats ashore.'

'I don't think we have any thing to fear from the cutters,' said the other, 'but I wont answer for the spies on shore,...there are folk wi' us here as weel as wi' ye, that canna see their neighbors thrive and haud their tongue; and I think some o' them ha'e been gaun owre often about wi' the spy-glass this day or tow.'

'Then,' said Harry, 'the lugger doesna break bulk here, nor at Embleton outhor—that's flat. Get ye a boat ready neighbour, and we maun off and meet her, or ye may drink sma' yill to yur venture and mine.'

'It is growing tow stormy for a boat to venture out,' answered the other.

'Smash man!' rejoined Harry, 'wad ye sit here on yur hunkers, while your capital is in danger o' being robbed frae ye, as simply as ye wad snuff out a candle, and a' to escape a night's doukin! Get up man,...get a boat,...we maun to sea,—we maun meet the lugger, or you and I are done men,...clean ruined a' thegither. I ha'e risked the better part o' my bit Fanny's

fortune upon this venture, and Heaven! I'll suffer death ten thousand fold afore I see her brought to poverty, sae get a boat,—get it,—and if ye daurna gaun out, and if none o' your folk dare gaun, Ned and me ha'e will gaun our tow sels.'

'Surely ye wad be mad Harry, to attempt such a thing in an open boat to-night. said the Blyth merchant.

'Mad or no mad,' answered Harry, 'I ha'e said it, and I am determined. There is nae danger yet wi' a man that knows how to manage a boat. If ye gaun pullin' through thick and thin, through main strength, and for bare life, as many o' the folk upon our coast dee, then there is danger—but there is nae use for the like o' that. It isna enough to manage an oar,—ye must know how to humour the sea, and to manage an oar,—ye must know how to humour the sea, and to manage a wave. Dinnan think I've been at sea more than thirty years without knawin' somethin' about the matter. But I tell ye what it is friend, ye know what the Bible says—'tis the race is not to the swift, nor the battle to the strong; now the way to face breakers, or a storm at sea, is not to pull through desperation, as if your life depended on the pulling; but when ye see a wave coming, ye must back-water, and back-water, and not pull again until ye see an opportunity of going forward. It is the trusting to mere pullin, Sir, that makes our life-boats useless. The rowers in a life-boat should study the sea as well, as their oars. They should consider that they save life by watching the wave that breaks over the vessel, as well as by straining every nerve to reach her. Now this is a stormy night nae doubt, but we maun just consider ourselves gaun off to the lugger in the situation o' folk gaun off in a life-boat. We maun work cannily and warily, and I'll take the management o' the boat myself.'

'If ye dow that master,' said Ned Thomson, 'then I gaun wi' ye to a dead certainty.'

'Well Harry,' replied the merchant, 'if it maun be sae, it just maun be sae, but I think it a rash and a dangerous undertaking. I wad sooner risk a' that I have on board.'

'Why man, I really wonder to hear ye,' said Harry, 'folk would say that ye had been swaddled in lamb's wool a' your life, and nursed on your mother's knee—get a boat and let us off to the lugger, and nae mair about it.'

His orders were obeyed, and about an hour after sunset, himself, with Ned Thomson, the merchant, and four others, put off to sea. They had indeed embarked upon a perilous voyage—before they were a mile from the shore the wind blew a perfect hurricane, and the waves chased each other in circles like monsters at play. Still Harry guided the boat with unerring skill. He ordered them to draw back from the bursting wave,—they rose over it,—he rendered it subservient to his purpose. Within two hours he descried the lights of the lugger. He knew them, for he had given directions for their use, and similar lights were hoisted from the coble which he steered.

'All's well!' said Harry, and in his momentary joy he forgot the tempestuous sea in which they laboured. They reached the lugger—they gained the deck.

'Put back friend—put back,' was the first salutation of Harry to the skipper, the camp is blown, and there are sharks along shore.'

'The devil!' replied the captain who was an Englishman, 'and what shall we do?'.

'Back, back,' answered Harry, 'that is all in the meantime.'

But the storm now raged with more fierceness—it was impossible for the boat to return to the shore, and Harry and his comrades were compelled to put to sea with the lugger. Even she became in danger, and it required the exertions of all hands to manage her.

The storm continued until day break, and the vessel had plied many miles from the shore; but as day began to dawn, and the storm abated, an enemy that they feared more appeared within a quarter of a mile from them, in the shape of a cutter-brig. A gun was fired from the latter as a signal for the lugger to lie too. Consternation seized the crew, and they hurried to and fro upon the deck in confusion.

'Clear the decks!' cried the skipper, 'they shan't get all without paying for it. Look to the gun my hearties.'

'Vast, master skipper,' said Harry; 'though my property be in danger, I see no cause why I should put my neck in danger too. It will be time enough to fight when we canna better dow; and if we can keep them in play a' day, there will be sma' danger in wur gie'n them the slip at night.'

'As you like Mr. Teasdale,' said the skipper, 'all's one to me. Helm about my lad,' added he, addressing the steersman, and away went the lugger as an arrow.

The cutter made all sail and gave chase, firing shot after shot. She was considered one of the fastest vessels in the service; and though on the part of Harry and his friends every nerve was strained, every sail hoisted and every manoeuvre used, they could not keep the lugger out of harm's way. Every half hour he looked at his watch and wished for night, and his friend the skipper followed his example. There was a hot chase for several hours, and though tubs of brandy were thrown overboard by the dozen, still the whizzing bullets from the cutter passed over the heads of the sma' danger in wur gie'n them the slip at night.'

'The successfull Essays shall remain the property of the Society.'

'5th, The Society reserves to itself the right to withhold the Prize, should no one of the Essays on any particular subject appear deserving of it.'

'The Essays are to be addressed to A. F. Holmes, M. D., Corresponding Secretary of the Society.'

'ANDREW H. ARMOUR, Recording Secretary.'

glers. It ought to be mentioned, also, that the rigging of the lugger had early sustained damage, and her speed was checked. About sunset a shot injured her rudder, and she became for a time, as Harry described her, 'as helpless as a child.' The cutter instantly bore down upon her.

'Now for it my lads,' cried the skipper, 'there is nothing for it but fighting now— I suppose that is what you mean Master Teasdale.'

Harry nodded his head, and quietly drew his pistols from the breast-pocket of his great coat; and then added—

'Now lads this is a bad job, but we must try to make the best on't, and as we ha'e gone thus far,' (and he discharged a pistol at the cutter as he spoke,) 'ye know it is o' nae use to think o' yielding—it is o' nae use to think o' yielding—it is better to be shot than hanged.' In a few minutes the firing of the cutter was returned by the lugger from two large guns and a number of small arms. Harry, in the midst of the smoke and flame of the action, and the havoc of the bullets, was as cool and collected as if smoking his pipe upon the beach at Embleton.

'See to get the helm repaired lad as fast as you can,' said he to the carpenter, while in the act of reloading his pistols; 'let us fight away, but mind ye yur awn work.'

Harry's was the philosophy of courage, mingled with the calculation of worldly wisdom.

The firing had been kept up on both sides for the space of half an hour, and the decks of both were stained with the blood of the wounded, when a party from the brig, headed by her first mate, succeeded in boarding the lugger. Harry seized a cutlass which lay unsheathed by the side of the companion, and was the first who rushed forward to repel them.

(To be continued.)

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